

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Ken Peterson, on February 3, 2011 at 8:00 AM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Ken Peterson, Chair (R)
Rep. Krayton Kerns, Vice Chair (R)
Rep. Diane Sands, Vice Chair (D)
Rep. Liz Bangerter (R)
Rep. Kris Hansen (R)
Rep. Bill Harris (R)
Rep. Ellie Boldman Hill (D)
Rep. David Howard (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Mike Menahan (D)
Rep. Michael (Mike) More (R)
Rep. Jesse O'Hara (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Keith Regier (R)
Rep. Dan Skattum (R)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: Rep. Robyn Driscoll (D)
Rep. Cleve J. Loney (R)

Staff Present: Karen Armstrong, Committee Secretary
David Niss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 355, 2/1/2011; HB 384, 2/2/2011 HB 369, 1/28/2011;

00:00:00 Chairman Peterson
00:01:44 Representatives Driscoll and Loney entered.

HEARING ON HB 355

Opening Statement by Sponsor:

00:03:13 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 355, Award attorney fees and costs for person found not guilty for self defense.

Proponents' Testimony:

00:05:49 Gary Marbut, Montana Shooting Sports Association (MSSA), Western Fish and Game Association
00:08:19 Doug Nulle, self
00:10:05 Brian Judy, National Rifle Association (NRA)
00:12:07 Tim Ravndal, Lewis and Clark Conservative Tea Party
00:14:56 Jesse Cathey, self
00:16:41 Shane Olsen, self
00:17:43 Steve Hauk, self

Opponents' Testimony:

00:19:25 Mark Murphy, Montana County Attorneys Association (MCAA)

EXHIBIT(juh27a01)

00:27:16 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:41 Rep. Bangerter
00:27:46 Rep. O'Neil
00:30:48 Rep. Wagner
00:31:00 Mr. Murphy, MCAA
00:36:51 Rep. Wagner
00:36:54 Mr. Nulle
00:40:13 Rep. Menahan
00:40:38 Chairman Peterson
00:40:47 Rep. Regier
00:41:03 Rep. O'Neil
00:43:33 Rep. Howard
00:43:47 Mr. Murphy
00:48:35 Rep. Hill
00:48:43 Rep. MacDonald
00:48:48 Rep. Menahan
00:50:19 Rep. O'Neil
00:52:28 Rep. Sands
00:53:01 Ms. Young
00:54:38 Rep. Hill
00:55:17 Mr. Murphy
00:58:56 Rep. Hill
00:59:22 Rep. O'Neil
01:01:16 Rep. Harris

01:01:27 Mr. Murphy
01:03:16 Chairman Peterson
01:04:19 Mr. Murphy
01:09:37 Rep. Skattum
01:10:14 Rep. O'Neil

Closing by Sponsor:

01:11:46 Rep. O'Neil

HEARING ON HB 384**Opening Statement by Sponsor:**

01:15:14 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 384, Revise carrying concealed weapon in prohibited places.

Proponents' Testimony:

01:17:20 Gary Marbut, Montana Shooting Sports Association (MSSA), Western Fish and Game Association
01:22:25 Brian Judy, NRA
01:25:29 Tim Ravndal, Lewis and Clark Conservative Tea Party
01:28:41 Doug Nulle, self
01:29:36 Jesse Cathey, self
01:37:08 Shane Olsen, self
01:41:10 Victoria Mitchell, Second Amendment Task Force of Ravalli County

Opponents' Testimony:

01:42:29 Mark Murphy, Montana County Attorneys Association (MCAA), Montana Association of Chiefs of Police
01:47:00 Mike Batista, Department of Justice (DOJ)
01:49:19 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
01:50:30 John MacDonald, City of Missoula, Police Chief Mark Muir
01:52:59 Clyde Dailey, Montana Credit Union Network
01:54:31 Kevin McRae, Montana University System, Montana Board of Regents
01:57:11 Nina Baucus, self

Informational Testimony: None**Questions from Committee Members and Responses:**

02:00:30 Rep. Warburton
02:00:50 Mr. Dailey
02:01:15 Rep. Warburton
02:01:23 Mr. Marbut, MSSA
02:01:59 Rep. Wagner
02:03:01 Mr. McRae
02:04:18 Rep. Wagner
02:04:29 Mr. Judy, NRA
02:07:41 Rep. Warburton
02:08:45 Mr. McRae
02:10:25 Rep. Harris
02:11:19 Mr. Judy

02:14:01 Rep. Howard
02:14:31 Mr. Murphy
02:16:18 Rep. MacDonald
02:17:07 Mr. Murphy
02:20:35 Rep. Wagner
02:21:30 Mr. Murphy
02:24:27 Rep. Howard
02:24:35 Rep. Kerns

Closing by Sponsor:

02:25:27 Rep. Kerns

02:26:52 Meeting recessed.
02:42:34 Meeting reconvened.

HEARING ON HB 369**Opening Statement by Sponsor:**

02:42:50 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 369, Revise fish and game enforcement laws.

[EXHIBIT\(juh27a02\)](#)

Proponents' Testimony:

02:52:11 Gary Marbut, Montana Shooting Sports Association (MSSA), Western Fish and Game Association
02:58:13 Jesse Cathey, self
02:59:15 Tim Ravndal, Lewis and Clark Conservative Tea Party
03:01:20 Doug Nulle, self
03:01:56 Jack Morris, self

[EXHIBIT\(juh27a03\)](#)

Opponents' Testimony:

03:15:45 George Golie, Montana Game Wardens Association
[EXHIBIT\(juh27a04\)](#)
03:23:28 Vito Quatraro, Headwaters Sportsmen's Association
[EXHIBIT\(juh27a05\)](#)
03:29:42 Jim Kropp, Fish, Wildlife and Parks, Law Enforcement Chief
[EXHIBIT\(juh27a06\)](#)
03:38:23 Randy Newberg, On Your Own Adventures
03:43:21 Nina Baucus, self
03:44:08 Rod Bullis, self
03:45:12 Brant Light, Attorney General's Office (AGO)
03:46:25 Janet Ellis, Montana Audubon
03:46:45 Lamont Garcia, self

Informational Testimony:

03:47:03 Mark Murphy, Montana County Attorneys Association (MCAA)

03:49:13 Chairman Peterson

[EXHIBIT\(juh27a07\)](#)

Questions from Committee Members and Responses:

03:49:40 Rep. Hansen
03:49:50 Mr. Light
03:51:17 Rep. Harris
03:53:09 Mr. Light
03:53:55 Rep. Wagner
03:55:08 Mr. Light
03:56:08 Rep. Wagner
03:56:48 Mr. Newberg
03:57:52 Chairman Peterson
03:58:06 Vice Chair Kerns assumed the chair.
03:58:11 Rep. Howard
03:58:38 Mr. Light

Closing by Sponsor:

03:58:56 Rep. Warburton

ADJOURNMENT

04:01:03 Adjournment:

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh27aad.pdf](#))